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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

9 || THOMAS R. BRAND, JR.,

Plaintiff,

Case No. 3:08-CV-00197-LRH-(RAM)

11 | VS.

12 WARDEN NEVEN, et al.,

Defendants.

ORDER

15 The Court found that the Complaint (#6) failed to state a claim upon which relief could be
16 granted. The Court directed Plaintiff to file an amended complaint, or the Court would dismiss this
17 action. Order (#5). Plaintiff has not filed an amended complaint within the allotted time.

IT IS THEREFORE ORDERED that this action is **DISMISSED** without prejudice for failure to state a claim upon which relief can be granted. The Clerk of the Court shall enter judgment accordingly.

DATED this 4th day of August, 2008.

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**LARRY R. HICKS
UNITED STATES DISTRICT JUDGE**